

DECLARATION

I (We) the undersigned inventor(s), hereby declare that:

My (Our) residence(s), post office address(es) and citizenship(s) are as stated below next to my(our) name(s),

I (We) believe that I(we) am(are) the original(joint) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPOSITIONS & FORMULATIONS WITH AN EPIANDROSTERONE OR A UBIQUINONE & KITS & THEIR USE FOR TREATMENT OF ASTHMA SYMPTOMS & REDUCING ADENONSINE/ ADENOSINE RECEPTOR LEVELS**, the specification of which

☐ is attached hereto.

☒ was filed on 4/24/01 as Application Serial No. 09/841,426

☐ was filed as PCT international application No. _____
on _____ and was amended under PCT
Article 19 on _____ (if applicable).

I(We) hereby state that I(we) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I(We) acknowledge the duty to disclose information material to the examination of this application in accordance with Section 1.56(a) of Title 37 Code of Federal Regulations, which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the

application."

I(We) hereby claim foreign priority benefits under Section 119 of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Day/Month/Year	Priority Claimed	
09/488,236	U.S.	20-1-2000	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
08/861,962-Pat 6,087,351	U.S.	22-5-1997	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
08/393,863-Pat 5,660,835	U.S.	24-2-1995	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I(We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I(we) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date
_____	_____
_____	_____
_____	_____

And I(we) hereby appoint Viviana Amzel, Registration Number 30,930, my attorney, to prosecute this application and to transact all business in the Patent Office connected therewith.

Please direct all correspondence to:

Viviana Amzel, Ph.D.
EpiGenesis Pharmaceuticals, Inc.
7 Clarke Drive
Cranbury, New Jersey 08512
(609) 409-3035 phone
(413) 254-9245

I(We) declare that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

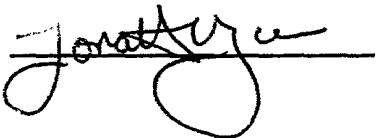
NAME OF INVENTOR **Jonathan W. Nyce**

Residence: **Titusville, New Jersey 08560**

Citizen of: **USA**

Post Office Address: **7 Clarke Drive**
 Cranbury, New Jersey 08512

Date: 4/19/01

Signature of Inventor: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. of: Jonathan W. Nyce : Appl. Ref. No: EPI-00311
Serial No: not assigned yet : Group Art Unit: not assigned yet
Filed: herewith : Examiner: not assigned yet
For: **Compositions, Formulations With An Epiandrosterone Or A Ubiquinone, &
Kits & Their Use For Treatment of Asthma Symptoms & Reducing
Adenosine**

**POWER OF ATTORNEY BY ASSIGNEE &
EXCLUSION OF INVENTOR (S) UNDER RULE 32**

Assistant Commissioner for Patents
Washington D. C. 20231

Sir/Madam:

The undersigned assignee of the entire interest in the above-identified patent application hereby appoints Viviana Amzel, Reg. No. 30,930, as its attorney to prosecute this application and to transact all business in the U. S. Patent Office connected therewith, this appointment to be to the exclusion of the inventor(s) and their attorney(s) in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

Please direct all telephone calls to Viviana Amzel, at (609) 409-3035, all facsimiles at (413) 254-9245 and all correspondence relative to this application to

Viviana Amzel, Ph.D.
General Counsel
EPIGENESIS PHARMACEUTICALS, INC.
7 Clarke Drive
Cranbury, New Jersey 08512


Assignee: EAST CAROLINA UNIVERSITY

Signature:

Name:

Title:

Date:


Richard R. Eakin
Chancellor
5/2/01

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: JONATHAN W. NYCE

Application No./Patent No.: _____ Filed/Issue Date: _____

Compositions, Formulations With An Epiandrosterone Or A Ubiquinone, & Kits & Their Use For Treatment of Asthma
Entitled: Symptoms & Reducing Adenosine/Adenosine Receptor LevelsEAST CAROLINA UNIVERSITY, a university chartered under the laws of the State of North Carolina

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

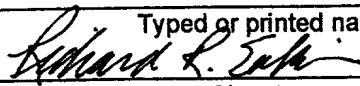
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/2/01

Date

Richard R. Eakin

Typed or printed name



Signature

Chancellor

Title

ASSIGNMENT

WHEREAS, Jonathan W. Nyce, a citizen of the United States of America, residing at 1 Keithwood Court, Titusville, New Jersey 08560, Assignor, has invented new and useful COMPOSITIONS & FORMULATIONS WITH AN EPIANDROSTERONE OR A UBIQUINONE & KITS & THEIR USE FOR TREATMENT OF ASTHMA SYMPTOMS & REDUCING ADENONSINE/ADENOSINE RECEPTOR LEVELS, for which an application for United States Letters Patent was executed by him on or about the same date as this Assignment; and

WHEREAS, Assignor believes himself to be the original, first and sole inventor of the invention disclosed and claimed in the application for Letters Patent; and

WHEREAS, East Carolina University, a constituent institution of the University of North Carolina and an educational institution chartered under the laws of the State of North Carolina, having a principal place of operation at 210 Spilman Building, Greenville, North Carolina 27858-4353, Assignee, desires to acquire by formal, recordable assignment the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to the invention, the application, and any Letters Patent that might be granted for the invention in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and his legal representatives and assigns will perform all lawful acts, including the execution of papers and the giving of testimony, that might be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for the invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to the invention, the application, and any Letters Patent

granted for the invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted by this Assignment.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for the invention, whether on the application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in the invention.

Assignor further authorizes and requests insertion below of the serial number and filing date of the application, when officially known:

Serial No. 02/841,426

Filing Date 4/24/2001

IN WITNESS WHEREOF, Assignor has executed this Assignment.

Date: 4/19/01

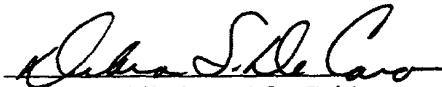

JONATHAN W. NYCE

State of New Jersey)
) ss.
County of Mercer)

On this 19 day of April, in the year of 2001, before me personally appeared JONATHAN W. NYCE, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year of this certificate first above written.

DEBRA S. DECARO
NOTARY PUBLIC OF NEW JERSEY
I.D. No.2254434
My Commission Exp. June 12, 2005


Notary Public in and for Said
County and State